

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hsu	§ Group Art Unit: 2671
Serial No.: 09/965,145	§ Examiner: Arnold Adam
Filed: September 27, 2001	§ Attorney Docket No.: AUS920010508US1
For: Method and System for Producing Dynamically Determined Drop Shadows in a Three-Dimensional Graphical User Interface	§

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

No fees are believed to be required to file this Declaration. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. The Petition to Revive fee and Issue fee were submitted with a Petition to Revive on March 15, 2007.

In the Renewed Petition to Revive, please consider the following declaration.

DECLARATION UNDER 37 C.F.R. § 1.132

In support of the Renewed Petition to Revive in patent application number 09/965,145, I/We hereby declare the following:

- 1) I am of legal age and employed by International Business Machines Corporation (the "Assignee"), in which capacity I personally oversee Notices of Allowance requiring issue fees to be paid on behalf of the IBM Corporation.
- 2) On the mailing date of the Notice of Allowance in question, August 24, 2004, I was employed full time by the Assignee and have no record of receipt of said Notice of Allowance because the correspondence address was that of the outside counsel.
- 3) IBM was unaware that the outside counsel handling this case was not attending to the matter. The customer number used by the outside counsel in question did not list us and we were unable to monitor activity in PAIR.
- 4) Upon learning of this situation, we immediately prepared a Customer Number Upload Spreadsheet to change the cases under control of outside counsel to our customer number, which was then submitted to the Patent Office on August 23, 2006, in which. Serial No. 09/965,145 was included in this change.
- 5) For some reason, this particular case was never changed at the Patent Office and we were unable to view any of the information for this case in PAIR.

- 6) On February 27, 2007, we filed a Power to Inspect with our Washington Office who inspected the files and found that an Issue Fee had not been paid.
- 7) On March 14, 2007 we prepared a Petition to Revive and paid the Issue Fee.

I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. All statements made in this declaration of my own knowledge are true and all statements made on information and belief are believed to be true.

DATE: 3/4/2008

A handwritten signature in cursive script, reading "Martha Acosta", written in black ink.

Martha Acosta